IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

WP(C).No. 28178 of 2006(D)

PETITIONER:

K.MOHAMMED,
S/O.BEERANKUTTY, RAHATH MANZIL,
IRUMBUZHI P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENTS:
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1. **THE SECRETARY,**
   REGIONAL TRANSPORT AUTHORITY,
   MALAPPURAM.

2. **SRI.P.MOHAMMEDKUTTY,**
   S/O.KUNHAMMED HAJI, PALLIKKAL HOUSE,
   VENGARA, MALAPPURAM DISTRICT.

3. **SRI.K.P.MOHAMMED, ANEESA MANZIL,**
   PANDIKKAD ROAD, MANJERI, MALAPPURAM.

4. **SRI.K.P.ABDUL BASHEER, ANEESA MANZIL,**
   PANDIKKAD, MANJERI, MALAPPURAM.

5. **THE STATE TRANSPORT APPELLATE TRIBUNAL,**
   ERNAKULAM.

BY ADV. SRI.M.K.CHANDRA MOHANDAS
BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA
SRI.K.V.GOPINATHAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.28178/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT VIDE ORDER NO.C6/12459/95/M DT.7.6.95.

EXT.P2:- COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT VIDE ORDER NO.C2/5304/05/M DT.30.3.06.

EXT.P3:- COPY OF THE MEMORANDUM OF REVISION PETITION AS MVARP NO.195/06 FILED BY THE PETITIONER BEFORE THE S.T.A.T. , ERNAKULAM DT.7.4.06.

EXT.P4:- COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT VIDE ORDER NO.C1/23607/03M DT.10.7.03.

E.XT.P5:- COPY OF THE ORDER OF THE 5TH RESPONDENT IN MVARP NO.195/06 DT.13.6.06.

E.XT.P6:- COPY OF THE PROCEEDINGS OF THE R.T.A. MALAPPURAM DT.29.5.06 VIDE ITEM NO.121.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 28178 OF 2006-D

JUDGMENT

The petitioner is aggrieved by the time schedule granted as per Ext.P2 order to the 2nd respondent's service on the route Anangadi – Manjeri. He attempted a revision against that order before the S.T.A.T. That revision was dismissed by the Tribunal, by Ext.P5 order. Hence this Writ Petition challenging Exts.P2 and P5.

2. The 1st respondent Secretary, R.T.A has filed a counter affidavit, in which it is submitted that the 2nd respondent himself has moved for varying the time schedule granted to him as per Ext.P2 order. This Court has also issued a direction to consider his representation. In view of the said direction of this Court, the 1st respondent is going to revise the time schedule granted as per Ext.P2 order. While doing so, the petitioner's grievance shall also be taken into account. Needless to say, while revising the time schedule granted as per Ext.P2, all affected operators, including respondents 3 and 4 shall also be heard.

The Writ Petition is disposed of as above.

7th February, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/